

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA
CHARLESTON DIVISION

IN RE: DIGITEK PRODUCTS LIABILITY LITIGATION MDL NO. 1968

APPLICATION OF STACY K. HAUER FOR APPOINTMENT
TO THE PLAINTIFFS' STEERING COMMITTEE

TO THE HONORABLE JUDGE GOODWIN:

I am an attorney in the Minneapolis based law firm of Zimmerman Reed. I was admitted to practice in Minnesota and in 2002. I have been practicing in pharmaceutical and medical device litigation my entire career. Prior to law school I received a Master's Degree from the College of Pharmacy at the University of Minnesota. Given my educational background, I am uniquely qualified to serve on the PSC of a pharmaceutical mass tort, including the Digitek Products Liability Litigation.

Zimmerman Reed has substantial experience in the field of mass torts, particularly in pharmaceutical and medical device litigation. Charles Zimmerman has been lead or co-lead counsel in Guidant MDL 1708, the Medtronic ICD MDL 1726 and the Baycol MDL 1431 in the District of Minnesota. Presently he serves as Chair of the Plaintiffs Steering Committee in the Medtronic Fidelis MDL 1905 in the District of Minnesota. Mr. Zimmerman previously served before this Court on the Plaintiffs' Executive Committee in the Serzone Litigation MDL 1477. He served in leadership in the Breast Implant Litigation MDL 926, TMJ Litigation

MDL 1001, Norplant Litigation MDL 1038, Teletronics Litigation MDL 1057, and Propulsid Litigation MDL 1355. Ronald Goldser presently serves as co-lead counsel in Levaquin MDL 1943. Gordon Rudd presently serves as liaison counsel in St Jude Medical Silzone Valve MDL 1396. Randy Hopper has been appointed as liaison counsel in Viagra MDL 1724.

I have served in many of the mass tort MDLs described above on various committees, including discovery, document depository, law and briefing, science and experts, settlements, and deposition. I was recently appointed by Judge Frank in the District of Minnesota in the Guidant MDL 1708 as Co-Chair of the settlement Claim Review Committee. In addition to the cases listed above, I have personally served on various committees in other pharmaceutical, medical device and mass tort MDL proceedings, including Welding Rods MDL 1535 and Zyprexa MDL 1596. I have had a significant participating role in preparing many of the foregoing cases for motion hearings including *Daubert* hearings, focus groups, summary judgment hearings, trial, and settlement. I am the current co-chair of the AAJ Levaquin Litigation Group and have authored articles on pharmaceutical litigation for AAJ publications, including Trial magazine. A copy of my personal Curriculum Vitae is attached to expand upon the presentation made herein, along with a Certificate of Good Standing.

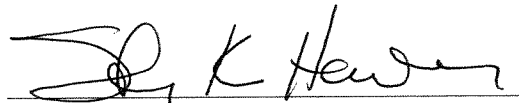
I have been active in the present litigation, and have a case presently pending in this MDL, Wayne J. Kovensky v. Actavis Totowa, et al, No. 2:08-CV-1169. I have been working cooperatively with many other members of the

plaintiffs bar in this litigation for the last several months, including attending several organizational meetings that have previously been held. I have worked on prior occasions with Carl Frankovitch, Teresa Toriseva, and Fred Thompson (who have previously submitted an application to the Court to be appointed as lead counsel) and have a good relationship with them. They would serve the Court well in that capacity and I support the structure they have proposed.

I have the time and the desire to serve this Court and plaintiffs attorneys as a PSC member in this case. Further, Zimmerman Reed has the financial resources necessary to commit to this litigation. Therefore, I request that the Court appoint me to the Plaintiffs' Steering Committee.

Dated: October 17, 2008

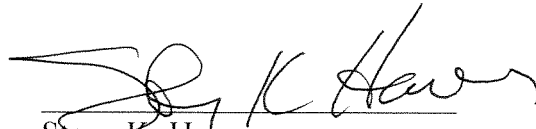
Respectfully submitted,

A handwritten signature in black ink, appearing to read "Stacy K. Hauer", written over a horizontal line.

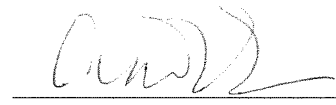
Stacy K. Hauer, MN Bar No. 317093
651 Nicollet Mall
Suite 501
Minneapolis, Minnesota 55402
Tel: (612) 341-0400
Fax: (612) 341-0844

This is to certify that a true and correct copy of the foregoing was electronically filed this 17th day of October, 2008.

Zimmerman Reed, P.L.L.P.


Stacy K. Hauer

Subscribed and sworn to before me
this 17th day of October, 2008.



Notary Public

